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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DONAVAN McINTOSH,

Plaintiff,

vs.

CITY OF NORTH LAS VEGAS, a Municipal  
Corporation and political subdivision of the  
State of Nevada; PAMELA OJEDA in her  
official and/or individual capacities; CLINTON  
RYAN in his official and/or individual  
capacities; ALEJANDRO RODRIGUEZ in his  
official and/or individual capacities; DOES I-X,  
Defendants.

Case No.: 2:21-cv-01505-APG-EJY

**STIPULATION AND ORDER TO  
EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

**[SECOND REQUEST]**

Pursuant to LR IA 6-1 and LR 26-3, Defendants City of North Las Vegas, Pamela Ojeda, Clinton Ryan, and Alejandro Rodriguez ("Defendants") and Plaintiff Donovan McIntosh ("Plaintiff"), by and through their undersigned counsel, hereby stipulate to extend time for Plaintiff to Respond to Defendants' Motion for Summary Judgment (ECF No. 40) from the current deadline of January 9, 2023 through and including **January 23, 2023**. This is the second request for an extension of this specific deadline. The requested extension is sought in good faith and not for purposes of undue delay. The reasons for the extension are as follows:

1. Plaintiff's counsel was out of the country on a long planned family commitment from December 17, 2022 through January 4, 2023.

- 1       2. While Plaintiff's counsel was away the final deposition transcript, of Dr. Fakhouri, was  
2       sent by the court reporter.
- 3       3. Plaintiff's counsel has not had time to meet with Mr. McIntosh to get his input in  
4       preparing the summary judgment response and will not be able to until at least January  
5       11, 2023 due to the other deadlines set forth below.
- 6       4. Plaintiff's counsel is experiencing a very heavy workload including another summary  
7       judgment opposition in another case (*Matthys vs. Turquoise Ridge*) due on January 9,  
8       2023; a post-trial motion that must be filed no later than January 10, 2023 in another case  
9       (*Perez vs. Barrick Goldstrike Mines*); another summary judgment opposition in another  
10      case (*Lewis vs. Sunrise Hospital*) due on January 17, 2023; and an opening brief due in a  
11      Ninth Circuit case (*Raffele v. VCA, Inc.*) also due on January 17, 2023.
- 12      5. Additionally, Plaintiff's counsel has multiple administrative workers' compensation  
13      hearings and appeals on January 9, 10, 12, and 17.

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1 Accordingly, additional time is needed and an extension to January 23, 2023 should be  
2 sufficient.

3 IT IS SO STIPULATED.

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5 Dated this 6<sup>th</sup> day of January 2023.

6 KEMP & KEMP

7 /s/ James P. Kemp  
8 James P. Kemp, NV Bar No. 6375  
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10 *Attorney for Plaintiff*

Dated this 6<sup>th</sup> day of January 2023.

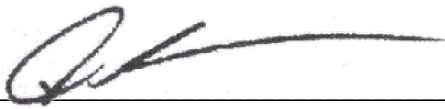
HONE LAW

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12  
13 **ORDER**

14 IT IS SO ORDERED.

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UNITED STATES DISTRICT JUDGE

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19 Dated: January 9, 2023.